

FIGHTING EVIL FROM  
NUREMBERG TO GUANTANAMO:  
DOUBLE STANDARDS  
IN GLOBAL JUSTICE

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## Fighting Evil from Nuremberg to Guantanamo: Double Standards in Global Justice

One question which the Obama war on terror has posed is whether the drone has become a weapon of ethnic-specific targeted assassinations. Barack Obama has authorized more specific assassinations than any other Head of State since World War II — with the possible exception of Israel’s readiness to assassinating some of the enemies of the Jewish state.

If the alleged terrorists against the United States had been Europeans, like Russian communists or Austrian Nazis, would any American President have chosen targeted assassinations as an answer to the problem? Would an American president have signed off the killing of V. I. Lenin, and sat up all night for the phone call to confirm “murderous mission accomplished?”

Muslim intellectuals are speculating whether Obama has found it easy to authorize the killing of Pakistanis and Yemenis because these people were neither of European stock nor of Judeo-Christian ancestry.

Obama has even authorized the killing of U.S. citizens in Yemen without the remotest pretence at due process. Obama has been jury, judge and executioner, not only of Osama bin Laden but of many others.

Innocent Muslims who have been killed by U.S. drones are estimated to run into hundreds, if not thousands. The Obama presidency has been the presidency of assassination *par excellence*.

When President Harry Truman authorized dropping the atomic bomb on Hiroshima and Nagasaki in August 1945 it was asked whether it was easy politically to drop such horrendous weapons on Asiatic populations rather than on European cities. Was President Truman trying out a new deadly weapon on the so-called “Yellow people.”

Similarly, a question is now asked whether Obama is the new President Truman trying out drone-attacks on Muslim populations.

On the issue of who deserves due process instead of either execution or years of imprisonment without trial, it is worth comparing Muslim suspects with what the United States and its allies did about European Nazis who, directly or indirectly, had caused the death of 50 million people. The victorious allies had given the Nazi monsters due process at Nuremberg. They were collectively charged with accusations of crimes against peace, crimes against humanity and the newly-identified crime of genocide.

Herman Goering, whom Hitler had chosen as his successor in the 1930s, received a very elaborate trial at Nuremberg, although his crimes were much worse than those of Osama bin Laden seventy years later. Goering remained loyal to Hitler even after Hitler’s death.

Goering was found guilty of all charges and condemned to death. But on the eve of his execution he committed suicide with a phial of cyanide, secretly imported into his cell in October 1946.

The main issue here is whether the Nazis were given a proper trial while Muslims suspected of terrorism are executed without trial under the Obama presidency.

A closer approximation to Guantanamo Bay was Spandau Prison in Berlin. Rudolph Hess was like Osama bin Laden. Rudolph Hess had served as Hitler's deputy and head of the party chancellery. At his trial in Nuremberg Hess kept losing his memory or suffered what was called "periods of self-induced hysterical amnesia." He was eventually sentenced to life imprisonment to be spent at Spandau Prison in Berlin. He did have due process — which has been denied most of the Muslim prisoners at Guantanamo Bay. Rudolph Hess committed suicide in 1987 while still in prison.

Both the United States and Israel are suspected of killing some of Iran's nuclear scientists. Israel might previously have also targeted Iraqi and Syrian nuclear scientists. This is quite apart from targeted assassinations of radical Palestinians.

Again, contrast this with how Israel has treated European Nazis. The most spectacular was Israel's capture and trial of Adolf Eichmann, who had been Chief of the Jewish office of the Gestapo, entrusted with carrying out the genocidal "Final Solution."

Eichmann had organized mass deportation of Jews to extermination camps in Poland and elsewhere. By March 1944 in Budapest he had become a leading personality in the massacre of the Hungarian Jewry.

Though arrested at the end of World War II, Eichmann managed to escape from American custody and migrated to Argentina. He lived there under an assumed name.

Israeli intelligence finally caught up with him and captured him on May 11, 1960. The Israelis took every precaution to ensure that Eichmann was not assassinated. His trial began on April 11, 1961 — the charges included crimes against humanity and crimes against the Jewish people.

Although this man had supervised the killing of more Jews than all the Palestinians had done in totality, the Israelis gave Eichmann due process. They wanted him to die, but after a judicial procedure. He was executed in Israel just before midnight on May 31, 1962.

Eichmann was eventually cremated and the ashes scattered outside Israeli's territorial waters. For a long time afterwards Adolf Eichmann has been the only judicial execution carried out in Israel.

But in this Cornell lecture, the bulk of the argument here is that European Nazis after World War II were treated with greater respect and accorded more formal justice than have Muslim terrorist suspects in the eyes of the Israelis and the Obama Presidency.

Albert Speer, Hitler's Minister of Armaments [and his favourite architect], received more dignity and fair play after the war than have Iranian nuclear scientists in peace time, who have been murdered at either Israeli or American instigation. Speer was sentenced to 20 years imprisonment. The Iranian scientists were just killed.

Can there be any other explanation than the thesis that even under an African-American presidency, Middle Eastern Muslim lives are held more cheaply than are

European lives. Nazis who had killed millions had their say in court and could offer a legal defence.

It is possible that the recent outburst of Muslim rage in over twenty countries concerning the defamation of the Prophet Muhammad, had more to do with a general anger against the United States' foreign policy, rather than just indignation against a fifteen-minute film abusing the Prophet Muhammad.

Here we must distinguish between systemic political contagion and episodic political contagion. The Arab spring was a case of democratic contagion in rebellion against tyrannical systems. On the other hand, the Muslim rage against Salman Rushdie's novel, *The Satanic Verses*, was a case of episodic political contagion. Also episodic is the September 2012 outrage against the film demeaning the Prophet Muhammad.

Whether we like it or not, Muslims across the world are more outraged by attacks against *Islam* (the religion itself) — rather than against *Muslims* [the followers of the faith].

When Muslims demonstrate against Danish cartoons, or Californian comic blasphemy, the scale of the outpouring seems disproportionate to non-Muslims. But three Americans wars on Muslim countries have provoked minimum protests from the global Ummah. Drone attacks by Obama are hardly noticed outside South Asia and Yemen.

It would make better sense if Muslims protested in their hundreds of thousands against deadly drones killing innocent Muslims than against cartoons titillating Islamophobes. The protesters should be more concerned with what is done to *Muslims*, rather than what is said about *Islam*.

It is one of the ironies of history that the etymology of the English word *assassination* can be traced back to the Arabic language. It originally referred to people who got intoxicated by smoking *hashish* [*hashishin* or assassins] and became murderous as a result. [*Hassa* also means in Arabic to slaughter people. This is an alternative etymology].

The drone has become an intoxicant to the Central Investigation Agency — a *hashish* of modern technology. The resulting process has been a form of assassination. Every single casualty has been a Muslim, without exception. Many have also been speakers of the Arabic language, which had coined the word *assassin* in the first place.

Obama's policy towards the Islamic Republic of Iran has been more contradictory. Obama would like to ensure that the Islamic Republic does not develop or acquire nuclear weapons. One of Obama's arguments is not convincing. He argues that the nuclearization of Iran would trigger an arms race in the Middle East, resulting in the proliferation of nuclear weapons in Saudi Arabia, Egypt, Syria, etc. This argument is unconvincing for the simple reason that the nuclearization of Israel in the 1960s did *not* trigger a nuclear arms race in the Middle East. Israel was more widely viewed as an adversary in the 1960s than Iran is in this twenty-first century. Nevertheless, there was no nuclear contagion in the 1960s following the Israeli atomic bomb.

But while Obama seems determined to stop Iran from acquiring nuclear weapons, Obama has resisted pressures by the Prime Minister of Israel trying to move Obama closer towards war with Iran. Obama seems reluctant to be drawn into his fourth war against a Muslim country (after Afghanistan, Iraq and Libya) within four years.

After Obama's Address to the Muslim world in June 2009, the Muslim ummah held its breath for a new era in relations between the United States and the Muslims of the world. Obama also addressed the peoples of Africa from Accra, Ghana. Those were heady days of Americo-Muslim and Americo-African solidarity. All parties have sobered up since then. We are back to a world of tension and banality.